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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/740,699	12/19/2003	Mark G. Barmettler	4100-00300	3886

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EXAMINER	
BENSON, WALTER	

ART UNIT	PAPER NUMBER
2858	

DATE MAILED: 03/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/740,699	BARMETTLER, MARK G.	
	Examiner	Art Unit	
	Walter Benson	2858	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *IDS filed 04/12/04*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _____ is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *20-39* is/are allowed.

6)☒ Claim(s) *1-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *19 December 2003* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *4/12/04*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-19 are presented for examination.

Drawings

2. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because the drawing are informal. Applicant is advised to employ the services of a competent patent draftsperson outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Claim Objections

3. Claim 13 is objected to because of the following informalities:

a. spelling of "least" line 3.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-7, and 11-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Renken et al. (US Patent No 6,847,213 B2 and Renken hereinafter).

6. As to claim 1, Renken discloses a cable certification device for testing network cabling, the cable certification device comprising:

a test module operable to promote testing of at least one channel of the network cabling (Fig. 9; col. 6, lines 36-37);

a connector communicating with the test module (col. 6, lines 37-39);

an adapter operable to communicate with the network cabling (col. 6, lines 39-42);

a contact coupled to the adapter to communicate with the network cabling and operable such that the connector contacts the contact to enable communication between the test module and the network cabling (col. 6, lines 52-55).

7. As to claim 2, Renken discloses a cable certification device for testing network cabling, the cable certification device further comprising:

a device housing having a coupling portion, connector extending at least partially from a portion of the device housing such that the connector contacts the contact when the adapter is coupled to the device housing (col. 12, lines 3-6)

a mating portion coupled to the adapter to promote connection to the network cabling (col. 6, lines 52-55).

8. As to claim 3, Renken discloses a cable certification device for testing network cabling, the cable certification device further comprising:

where the test module is retained by the adapter (col. 6, lines 57-59).

9. As to claim 4, Renken discloses a cable certification device for testing network cabling, the cable certification device comprising:

where the test module is retained by the housing (col. 12, lines 6-8).

10. As to claim 5, Renken discloses a cable certification device for testing network cabling, the cable certification device comprising:

where the adapter includes a printed circuit board having circuitry operable to communicate with the network cabling and where the contact is further defined as a trace on the printed circuit board circuitry (col. 12, lines 8-10).

11. As to claim 6, Renken discloses a cable certification device for testing network cabling, the cable certification device comprising:

where the contact is further defined as a contact location on the printed circuit board circuitry (col. 12, lines 10-11).

12. As to claim 7, Renken discloses a cable certification device for testing network cabling, the cable certification device comprising:

where the connector is further defined as a biased connector (col. 12, lines 11-13).

13. As to claim 11, Renken discloses a cable certification device for testing network cabling, the cable certification device comprising:

where the mating portion is furthher defined as a cable coupleable to the adapter and having a female jack on one end thereof for connection to the network cabling (col. 6, lines 43-46).

14. As to claim 12, Renken discloses a cable certification device for testing network cabling, the cable certification device comprising:

where the mating portion is further defined as a cable coupleable to the adapter and having a male plug on one end thereof for connection to the network cabling (col. 6, lies 46-48).

15. As to claim 13, Renken discloses a cable certification device for testing network cabling, the cable certification device comprising:

where the test module includes a circuit board coupled to the device housing and includes test circuitry operable to test the integrity of the at lest one channel of the network cabling (col. 11, lines 65-67 and col. 12, line 1).

16. As to claim 14, Renken discloses a cable certification device for testing network cabling, the cable certification device comprising:

where the test circuitry is operable to generate and transmit a test signal, via the connector, to test the integrity of the at least one channel of the network cabling (col. 12, lines 50-52).

17. As to claim 15, Renken discloses a cable certification device for testing network cabling, the cable certification device comprising:

where the test circuitry is operable to receive and measure, via the connector, a test signal transmitted via the network cabling to test the integrity of the at least one channel of the network cabling (col. 12, lines 59-61).

18. As to claim 16, Renken discloses a cable certification device for testing network cabling, the cable certification device comprising:

where the test module includes a circuit board coupled to the device housing and includes a processor programmed to transmit, via the connector, a test signal to be received and measured by another cable certification device coupled to the network cabling to test the integrity of the at least one channel of the network cabling (col. 13, lines 64-67).

19. As to claim 17, Renken discloses a cable certification device for testing network cabling, the cable certification device comprising:

where the processor is further programmed to receive, via the connector, and measure a test signal transmitted via the network cabling to test the integrity of the at least one channel of the network cabling (col. 12, lines 26-30).

Claim Rejections - 35 USC § 103

20. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

21. Claims 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Renken in view of Wolski et al. (US Patent No.6,388,437 and Wolski hereinafter).

Although the system disclosed by Renken shows substantial features of the claimed invention (discussed in the paragraphs above), it fails to disclose:

where the biased connector is further defined as a push-pin [claim 8];

where the push-pin is further defined as a shaft and a biasing mechanism in communication with the shaft, the shaft having a first end opening where a pin bias by the biasing mechanism resiliently extends from the shaft [claim 9];

where the pin portion of the push-pin is further defined as a removable pin [claim 10].

Nonetheless, these features are well known in the art and would have been an obvious modification of the system discloses by Renken, as evidenced by Wolski.

Wolski discloses an ergonomic tester for an electronic device under test having:

where the biased connector is further defined as a push-pin [claim 8] (col. 7, lines 10-12 to provide for connector means for accepting a remote electronic device;

where the push-pin is further defined as a shaft and a biasing mechanism in communication with the shaft, the shaft having a first end opening where a pin bias by the biasing mechanism resiliently extends from the shaft [claim 9] (col. 7, lines 13-26) to permit self alignment with the mating male connectors;

where the pin portion of the push-pin is further defined as a removable pin [claim 10] (col. 7, lines 26-31).

Given the teaching of Wolski, a person having ordinary skill in the art at the time of the invention would have readily recognized the desirability and advantages of modifying Renken by employing the well known or conventional features of connector technology, such as disclosed by Wolski, in order to efficiently test data electronic devices over wherever electrical signal cables must be mated and for the purposes discussed above.

22. Claims 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Renken in view of White et al. (US Patent No.6,11,147 B2 and White hereinafter).

Although the system disclosed by Renken shows substantial features of the claimed invention (discussed in the paragraphs above), it fails to disclose

a latch coupled to lock the adapter to the device housing [claim 18];

a release mechanism coupled to the latch and operable to release the latch to uncouple the adapter housing from the device housing [claim 19].

Nonetheless, these features are well known in the art and would have been an obvious modification of the system discloses by Renken, as evidenced by White.

White discloses a test apparatus for performing line testing of cable and networks having:

a latch coupled to lock the adapter to the device housing [claim 18] (150, Fig. 4, col. 5, lines 24-29) to ensure alignment when the adopter module is inserted into position.;

a release mechanism coupled to the latch and operable to release the latch to uncouple the adapter housing from the device housing [claim 19] (col. 5, lines 34-46).

Given the teaching of White, a person having ordinary skill in the art at the time of the invention would have readily recognized the desirability and advantages of modifying Renken by employing the well known or conventional features of connector technology, such as disclosed by White, in order to provide for secure connection between main housing and the adapter to increase accuracy of cable test measurements and for the purposes discussed above.

Allowable Subject Matter

23. Claims 20-39 are allowed.

The prior art of record fails to teach in combination as claimed a measurement connector system for connecting a device to a local area network including a first biased contact extending from the device housing and communicating with the circuitry of the device. A second biased

contact extending from the device housing and communicating with the circuitry of the device. An adapter housing configured to couple with the coupling portion of the device housing. A mating portion coupled to the adapter housing to promote connection to the local area network cabling. A first contact operable to communicate with the at least one channel of the local area network cabling, via the mating portion, and coupled to the adapter housing such that the first biased contact contacts the first contact which the adapter housing is coupled to the device housing. A second contact operable to communicate with the at least one channel of the local area network cabling, via the mating portion, and coupled to the adapter housing such that the second biased contact contacts the second contact when the adapter housing is coupled to the device housing.

Prior Art Made of Record

24. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure

A. Lulham et al. (US Patent No. 5,714,885) discloses a method and apparatus for testing copper wire local area network.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Walter Benson whose telephone number is (571) 272-2227. The examiner can normally be reached on Mon to Fri 6:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Lefkowitz can be reached on (571) 272-2180. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Walter Benson
Patent Examiner

February 28, 2005